

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

NANCY BAKER, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No.: 4:20-cv-00796
)	
EXPRESS COURIER)	
INTERNATIONAL, INC., and EMP)	
LSO HOLDING CORPORATION,)	
)	
Defendants.)	

**JOINT NOTICE OF RELATED CASES AND REQUEST FOR
COORDINATION FOR SETTLEMENT APPROVAL AND DISMISSAL**

Plaintiffs and Defendants submit the following Joint Notice of Related Cases and Request for Coordination for Settlement Approval and Dismissal:

1. Pursuant to Local Rule 5.2, this case is related to thirteen other cases (Mass Actions) that are currently pending in the United States District Court, Southern District of Texas, Houston Division. The Parties have agreed to terms of a global settlement agreement and release (Agreement) resolving claims of approximately 676 plaintiffs in the Mass Actions and this case. The Parties have agreed that Defendants will submit the Agreement for approval in each of the Mass Actions. Accordingly, the Parties jointly request that each of the Mass Actions be assigned to a single U.S. District Judge for review and approval of the settlement agreement.

2. This case is related to a group of 13 cases that were filed following decertification of a conditionally certified collective action under Section 216(b) of the Fair Labor Standards Act (FLSA), in a case styled *Harris v. Express Courier Int'l., Inc.*, No. 5:16-cv-5033-TLB, filed in the United States District Court, Western District of Arkansas.

3. The Mass Actions, with their current Southern District of Texas case numbers, are listed here:

- A. *Arroyo v. Express Courier Int'l., Inc.*, No. 4:18-cv-00010-KH;
- B. *Barber v. Express Courier Int'l., Inc.*, No. 4:20-cv-00271;
- C. *Carter v. Express Courier Int'l., Inc.*, No. 4:19-cv-01124;
- D. *Nicks v. Express Courier Int'l., Inc.*, No. 4:20-cv-00250;
- E. *Acklin v. Express Courier Int'l., Inc.*, No. 4:20-cv-00162;
- F. *Campbell v. Express Courier Int'l., Inc.*, 4:20-cv-00713;
- G. *Barnette v. Express Courier Int'l., Inc.*, No. 4:20-cv-00210;
- H. *Brandon v. Express Courier Int'l., Inc.*, 4:20-cv-00455;
- I. *Bell v. Express Courier Int'l., Inc.*, No. 4:20-cv-00184;
- J. *Ryte v. Express Courier Int'l., Inc.*, No. 4:20-cv-00238;
- K. *Baker v. Express Courier Int'l., Inc.*, 4:20-cv-00796;
- L. *Bascomb v. Express Courier Int'l., Inc.*, 4:20-cv-00420; and
- M. *Allen v. Express Courier Int'l., Inc.*, No. 4:20-cv-00198.

4. In this case, Plaintiffs' claims were filed in the United States District Court for the Northern District of Florida. Plaintiffs, like the plaintiffs in the other

Mass Actions, are former opt-in plaintiffs in the *Harris* case. Plaintiffs in each of the Mass Actions claim that they were engaged in performing courier services for Defendants, alleging minimum wage and overtime violations under the FLSA. Defendants deny these allegations and no Court has adjudicated the merits of Plaintiffs' claims in the Mass Actions.

5. On January 21, 2019, the Parties mediated the Mass Actions before mediator Hunter Hughes III in Atlanta, Georgia.

6. As a result of mediation, Plaintiffs and Defendants agreed to settle the Mass Actions. The Parties have drafted a global settlement agreement and release, which covers the Plaintiffs and claims in this case, as well as the other Mass Actions.

7. Pursuant to Rule 1 of the Federal Rules of Civil Procedure and in an effort to maximize the efficient use of judicial resources and minimize the costs associated with settlement administration, the Parties jointly agreed to request transfer of the Mass Actions to this District.

8. The Parties further agree to coordinate the settlement of the Mass Actions to reduce the judicial burden of managing 13 separate cases, speed the process of approval of the settlement, and reduce the costs associated with settlement administration and dismissal.

9. Accordingly, the Parties request that this case and the Mass Actions be reassigned to a single judge in order to coordinate the judicial approval of the global settlement agreement and release and dismissal with prejudice.

Respectfully submitted,

/s/ Josh Sanford

Josh Sanford
josh@sanfordlawfirm.com
Texas Bar No. 24077858
SANFORD LAW FIRM, PLLC
One Financial Center
650 S. Shackleford, Suite 411
Little Rock, Arkansas 72211
Telephone: (501) 221-0088
Facsimile: (888) 787-2040

ATTORNEY FOR PLAINTIFFS

/s/ Emily A. Quillen

Emily A. Quillen
equillen@scopelitis.com
Texas Bar No. 2404524
SCOPELITIS GARVIN LIGHT
HANSON & FEARY, P.C.
777 Main Street, Suite 3450
Fort Worth, Texas 76102
Telephone: (817) 869-1700
Facsimile: (817) 878-9472

ATTORNEY FOR DEFENDANTS